

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2008-196-E - ORDER NO. 2008-724
OCTOBER 22, 2008

IN RE:	Combined Application of South Carolina)	PROCEDURAL ORDER
	Electric and Gas Company for a Certificate)	ON FORM OF ORS
	of Environmental Compatibility and Public)	TESTIMONY
	Convenience and Necessity and for a Base)	
	Load Review Order for the Construction and)	
	Operation of a Nuclear Facility in)	
	Jenkinsville, South Carolina)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Motion of the Office of Regulatory Staff (“ORS”) to file and present panel testimony in this Docket. ORS states that it has hired a team of consultants to evaluate, review and provide testimony on the South Carolina Electric & Gas Company (“SCE&G”) Application. ORS expects to present approximately eight witnesses during the merits hearing, consisting of three ORS employees and five consultants. ORS wishes to present the consultants’ testimony as a panel. According to ORS, the filing and presentation of witness testimony as a panel would allow specialized knowledge to be shared to the fullest extent, allow questions to be answered expeditiously, provide for an orderly procedure, and promote judicial economy. ORS notes that the team as a whole shares knowledge of SCE&G’s Application.

According to ORS, all parties would have the opportunity to cross-examine each consultant witness. ORS proposes that where the testimony of a panel of witnesses is presented, cross-examination may either be addressed to the panel as a whole, in which

case any member of the panel may respond, or cross-examination may be directed to a specific panel member, in which case that particular panel member would respond. ORS further states that a panel would facilitate the hearing by making available all consultant witnesses at the same time to answer questions and, by providing an opportunity for parties to ask their questions once, instead of numerous times over the course of the hearing as different witnesses take the stand.

Accordingly, ORS moves that this Commission grant its Motion to File and Present Panel Testimony. In the alternative, if such Motion is not granted, ORS moves that the Commission allow the consultants to testify as a panel during the hearing on the Application, currently scheduled to begin on December 1, 2008.

We have considered this matter, and hereby grant the Motion to File and Present Panel Testimony, with qualifications. ORS shall prefile its panel testimony in a format in which each part of the testimony is attributable to a single witness. In other words, a particular witness should be primarily responsible for a specific topic in the testimony, although other witnesses may address that topic as well. Certainly, on cross-examination, more than one ORS witness may be allowed to contribute in answering questions. However, it is our belief that one witness should be primarily responsible for each topic presented, and that witness should be identified in the prefiled testimony.

Whereas we do agree that allowing panel testimony generally provides for an orderly procedure and for judicial economy, we reserve the right to require the witnesses to testify separately, if during the hearing, it becomes apparent to this Commission that the panel is not an effective way to present the testimony in this case.

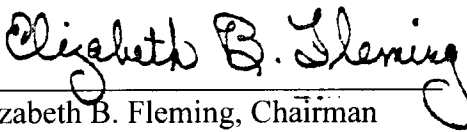
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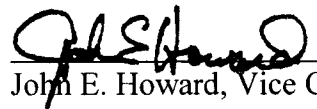
As stated, the Motion is granted, with qualifications.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:



John E. Howard, Vice Chairman

(SEAL)